

**IN THE CIRCUIT COURT OF
MONTGOMERY COUNTY, ALABAMA**

JAMES O. STRUTHERS, Individually, and as Administrator of the Estate of ALICIA STRUTHERS, deceased, Plaintiff, v. MERCK & CO., INC., a foreign Corporation; ANNE BRANDON, an individual; LAMONDE RUSSELL, an individual; and ficitious defendants, et al, etc., Defendants.

CV 06-0026

NOTICE OF FILING NOTICE OF REMOVAL

PLEASE TAKE NOTICE that Merck & Co., Inc. has this date filed its
Notice of Removal in the Office of the Clerk of the United States District Court for
the Middle District of Alabama, Northern Division, a copy of which is attached
hereto as **Exhibit A**

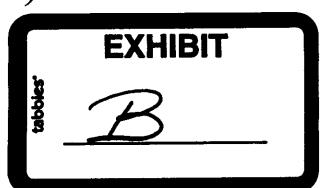
Respectfully submitted this the 9th day of February, 2006.

Richard B. Garrett

Richard B. Garrett

Bar Number: (ASB-0782-A29R)
Mike Brock

Bar Number: (ASB-5280-B61R)



F. Chadwick Morris
Bar Number: (ASB-8504-S75F)

RUSHTON, STAKELY, JOHNSTON
& GARRETT, P.A.
Post Office box 270
Montgomery, Alabama 36101-0270
Telephone: 334/206-3100
Fax: 334/263-4157
E-mail: rbg@rsjg.com
rcb@rsjg.com
fcm@rsjg.com

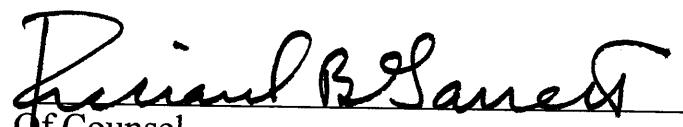
Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing upon:

Andy D. Birchfield, Esquire
J. Paul Sizemore, Esquire
Beasley, Allen, Crown,
Methvin, Portis & Miles, P. C.
P. O. Box 4160
Montgomery, Alabama 36103-4160

by placing same in the United States mail, postage prepaid, this the 9th day
of February, 2006.



Of Counsel